

Conference Engrossed

State of Arizona
Senate
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 317

SENATE BILL 1330

AN ACT

AMENDING SECTION 48-616, ARIZONA REVISED STATUTES; RELATING TO MUNICIPAL
IMPROVEMENT DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 48-616, Arizona Revised Statutes, is amended to
3 read:

4 48-616. Improvement districts for purchasing energy for
5 lighting public streets and parks

6 A. In addition to the purposes for which an improvement district may
7 be formed under the provisions of section 48-572, an improvement district may
8 be formed for the sole purpose of purchasing and not generating energy for
9 the lighting of the public streets and parks of the improvement district.

10 B. Subject to the limitations contained in this section, the powers
11 and duties of the governing body of a municipality shall be as provided in
12 this article for other types of improvement districts.

13 C. The governing body shall make annual statements and estimates of
14 the expenses of the district which shall be provided for by the levy and
15 collection of ad valorem taxes upon the assessed value of all the property
16 real and personal in the district OR BY AN EQUAL APPORTIONMENT OF TAXES BASED
17 ON THE NUMBER AND CLASSIFICATION OF PROPERTIES WITHIN THE DISTRICT, publish
18 notice thereof, ~~having~~ OF THE STATEMENTS AND ESTIMATES, HOLD hearings thereon
19 ON THEM and adopt them at the times and in the manner provided for
20 incorporated cities and towns' statements and estimates by applicable
21 portions of title 42, chapter 17, article 3, and the governing body, on or
22 before the third Monday in August each year, shall fix, levy and assess the
23 amount to be raised by ad valorem taxes OR BY AN EQUAL APPORTIONMENT OF TAXES
24 upon all of the property of the district and collect as county taxes are
25 collected the amounts shown by the statements and estimates as adopted by the
26 governing body. All statutes providing for the levy and collection of
27 general county taxes, including collection of delinquent taxes and sale of
28 property for nonpayment of taxes, are applicable to the district taxes as
29 provided to be levied by this section.

30 D. An improvement district formed under the provisions of this section
31 shall not be authorized to issue bonds, and no assessment for district
32 purposes against the property within such district shall exceed one dollar
33 twenty cents per one hundred dollars of assessed valuation thereof in any
34 year.

35 E. No such district is authorized to engage in any activity other than
36 contracting for and purchasing of energy for street and public park lighting.

37 F. In the event the municipality is willing to participate in the
38 costs of the lighting of streets in such improvement districts, the governing
39 body may by resolution summarily order such participation. If the
40 municipality is willing to assume the total cost of such lighting, the
41 council may summarily dissolve the district by resolution after payment of
42 all liabilities.

1 G. The formation of an improvement district for street and public park
2 lighting under the provisions of this section shall not prevent the
3 subsequent establishment of improvement districts for other purposes,
4 including improvement districts for the purpose of constructing street
5 lighting facilities within any part or all of the same territory.

6 H. In the event an improvement district is formed which includes the
7 construction and operation of street lighting facilities within all or any
8 part of the territory of a district formed under this section, the governing
9 body may by resolution summarily delete from the district formed under this
10 section any area covered by a subsequently formed district and form a new
11 district from the balance of the original district formed under this section.

12 I. The rate to be paid for the purchase of energy may include a charge
13 for electric power, natural gas and other forms of energy and a charge for
14 the use of lighting facilities if the established rate of the public service
15 corporation or public agency imposes such a charge for the type of lighting
16 facilities which the governing body determines shall be installed in
17 accordance with section 48-617, subsection C.

18 J. IN EITHER A NEW OR EXISTING IMPROVEMENT DISTRICT ORGANIZED FOR
19 PURPOSES PRESCRIBED BY THIS SECTION, A MAJORITY OF THE REAL PROPERTY OWNERS
20 MAY PETITION THE GOVERNING BODY TO LEVY AD VALOREM TAXES OR TO EQUALLY
21 APPORTION THE TAXES BASED ON THE NUMBER AND CLASSIFICATION OF PROPERTIES
22 WITHIN THE DISTRICT. IF THE PETITION IS SIGNED BY THE REQUIRED NUMBER OF
23 OWNERS OF REAL PROPERTY IN THE DISTRICT, THE GOVERNING BODY OF THE DISTRICT
24 SHALL DECLARE THE PETITION APPROVED AND SHALL PROVIDE THAT BEGINNING ON A
25 DATE CERTAIN, ALL SUBSEQUENT TAXES LEVIED FOR THE BENEFIT OF THE DISTRICT
26 SHALL BE ASSESSED AND LEVIED AS PRESCRIBED BY THIS SUBSECTION.

APPROVED BY THE GOVERNOR MAY 29, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 29, 2002.

~~FAILED~~
Passed the House May 2, 2002,

by the following vote: 29 Ayes,

28 Nays, 3 Not Voting

Speaker of the House

Norman L. Foure
Chief Clerk of the House

Passed the Senate March 27, 2002,

by the following vote: 27 Ayes,

3 Nays, 0 Not Voting

Robert Grant
President of the Senate

Cherrin Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

S.B. 1330

ON RECONSIDERATION

Passed the House May 2, 2002,

by the following vote: 44 Ayes,

10 Nays, 6 Not Voting

[Signature]
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate _____, 20____,

by the following vote: _____ Ayes,

_____, _____ Nays, _____ Not Voting

President of the Senate

Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

S.B. 1330

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 20, 2002,

by the following vote: 40 Ayes,

17 Nays, 3 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate _____, 20____,

by the following vote: _____ Ayes,

_____ Nays, _____ Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 21 day of May, 2002

at 10:21 o'clock A M.

[Signature]
Secretary to the Governor

Approved this 29 day of

May, 2002,

at 11:21 o'clock 4 M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 29 day of May, 2002,

at 3:41 o'clock P M.

[Signature]
Secretary of State

S.B. 1330